

APPEAL NO. 021738
FILED AUGUST 26, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on January 7, 2002. The decision had been remanded to the hearing officer to recontact the designated doctor to cure a computational error in his original report. The hearing officer gave presumptive weight to the amended report of the designated doctor and found that the appellant (claimant) had a 14% impairment rating.

The claimant has appealed, arguing that the Appeals Panel and the hearing officer failed to address the ways in which the designated doctor's examination did not comply with the Guides to the Evaluation of Permanent Impairment, third edition, second printing, dated February 1989, published by the American Medical Association (AMA Guides). The respondent (carrier) responds by pointing out that the claimant has, for the first time on appeal, assailed the examination of the designated doctor.

DECISION

We affirm the hearing officer's decision.

The claimant asserts that the Appeals Panel failed to consider arguments that the designated doctor's examination (and resulting report) did not conform to the AMA Guides. On the contrary, in the previous Appeals Panel Decision, Texas Workers' Compensation Commission Appeal No. 020355, decided, April 4, 2002 we discussed at length the arguments to this effect that were raised by the carrier, and found problems only with the computational error for which the case was remanded. The claimant, who at the first session of the CCH argued that the designated doctor's evaluation was correct, does not specify the ways in which he now argues that the designated doctor's methods and report were not in compliance with the AMA Guides. We have reviewed the record again in light of the appeal and do not find that the hearing officer erred by according presumptive weight to the amended and corrected report of the designated doctor (See Rule 130.6 (i)), or by finding that it was not overcome by the great weight of contrary medical evidence. We affirm the decision and order.

The true corporate name of the insurance carrier is **INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Susan M. Kelley
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge